

Message Text

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ORIGIN EUR-25

INFO OCT-01 ISO-00 L-03 EB-11 CAB-09 CIAE-00 COME-00

DODE-00 DOTE-00 INR-11 NSAE-00 RSC-01 FAA-00 SS-20

NSC-07 H-03 PA-04 PRS-01 NIC-01 SAJ-01 USIE-00 NSCE-00

INRE-00 SSO-00 /098 R

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FM SECSTATE WASHDC

TO AMEMBASSY SOFIA IMMEDIATE

AMEMBASSY BONN IMMEDIATE

INFO USMISSION BERLIN IMMEDIATE

AMEMBASSY PRAGUE

C O N F I D E N T I A L STATE 199968

E.O. 11652: GDS

TAGS: ETRN, BU, GW, WB

SUBJECT: PAA BULGARIAN OVERFLIGHTS

REF: A) SOFIA 1606 B) BONN 14095 C)STATE 001888

D) STATE 196932

1. WE BELIEVE THAT IT IS IMPORTANT THAT BULGARIAN CANCELLATION OF PAA OVERFLIGHTS NOT BE ALLOWED PASS WITHOUT USG RESPONSE. EMBASSY ACCORDINGLY SHOULD LODGE PROTEST PER INSTRUCTION REFTEL D WITHOUT FURTHER DELAY.

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2. IN LODGING PROTEST, EMBASSY, WITHOUT ITSELF RAISING

BERLIN, SHOULD NOTE THAT CANCELLATION OF PAA'S
NUERNBERG-ISTANBUL CHARTER CONSTITUTES GOB VIOLATION OF
CHARTER FLIGHT PROVISIONS CONTAINED IN ARTICLE 5
CHICAGO CONVENTION TO WHICH US AND BULGARIA ARE PARTIES,
DRAWING FOR ARGUMENTATION ON PARAS 1 AND 2 REFTEL C.

3. SHOULD GOB RAISE BERLIN ISSUE, EMBASSY OFFICIALS
SHOULD REITERATE THAT FLIGHT IN QUESTION ORIGINATED IN
FRG. AT SAME TIME, EMBASSY SHOULD TAKE FIRM POSITION
THAT GOB OBLIGATIONS AND RESPONSIBILITIES UNDER CHICAGO
CONVENTION APPLY TO ALL FLIGHTS REGARDLESS OF POINT
OF ORIGIN AND THAT BERLIN FLIGHTS ARE FULLY COMPATIBLE
WITH ESTABLISHED PRACTICE AND

RULES FOR UTILIZATION OF BERLIN AIR CORRIDORS AND BERLIN
AIR CONTROL ZONE.

4. FOR BONN: EMBASSY BONN SHOULD INFORM FRG FONOFF, IN
CONNECTION WITH EARLIER FRG INQUIRY (REFTEL B) THAT
USG PROTESTING CANCELLATION OF NUERNBURG-ISTANBUL
FLIGHT AS VIOLATION OF ICAO CONVENTION, BUT THAT WE DO
NOT INTEND PUT PROTEST WITHIN SPECIFIC BERLIN CONTEXT
IN ORDER NOT UNNECESSARILY ENDANGER FLIGHTS CURRENTLY
BEING REROUTED THROUGH FRG. KISSINGER

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Message Attributes

Automatic Decaptoning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: FLIGHT CLEARANCES, DIPLOMATIC PROTESTS, FOREIGN POLICY POSITION, AIRCRAFT OVERFLIGHTS
Control Number: n/a
Copy: SINGLE
Draft Date: 12 SEP 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: garlanwa
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974STATE199968
Document Source: CORE
Document Unique ID: 00
Drafter: GRUECKERT:SG
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D740253-0906
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19740951/aaaabrdv.tel
Line Count: 85
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN EUR
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators:
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: A) SOFIA 1606 B) BONN 14095 C) STATE, 001888
Review Action: RELEASED, APPROVED
Review Authority: garlanwa
Review Comment: n/a
Review Content Flags:
Review Date: 11 APR 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <11 APR 2002 by boyleja>; APPROVED <02 JUL 2002 by garlanwa>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: PAA BULGARIAN OVERFLIGHTS
TAGS: ETRN, BU, GE, WB, US, PANAM
To: SOFIA BONN
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005